

NEIL ABERCROMBIE
GOVERNOR



HAKIM OUANSAFI
EXECUTIVE DIRECTOR

STATE OF HAWAII
DEPARTMENT OF HUMAN SERVICES
HAWAII PUBLIC HOUSING AUTHORITY
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BARBARA E. ARASHIRO
EXECUTIVE ASSISTANT

IN REPLY PLEASE REFER TO:

12:CPO/O

April 30, 2012

MEMORANDUM

TO: Aaron Fujioka, Chief Procurement Officer
State Procurement Office
Department of Accounting and General Services

FROM: Hakim Ouansafi, Executive Director *HO*

SUBJECT: Request for Reconsideration – Emergency Procurement No. 12-040K

STATE PROCUREMENT OFFICE
STATE OF HAWAII

12 MAY -3 8:48

The Hawaii Public Housing Authority is requesting a reconsideration of the disapproval of Emergency Procurement No. 12-040K for temporary security services at Mayor Wright Homes. A copy of the form SPO-002 is attached for your reference.

In 1997, Mayor Wright Homes was included in the designation of the Kalihi-Palama –Chinatown as a Weed and Seed community by U.S. Department of Justice (DOJ). During that time, the Mayor Wright Homes community was characterized as a distressed neighborhood marked by violent crimes and drug activity. Over several years, the DOJ, Honolulu Police Department (HPD), Department of Public Safety, Hawaii Public Housing Authority (HPHA) and numerous supportive service providers worked on improving safety and security at Mayor Wright Homes. Due to the concerted efforts of law enforcement, government agencies, and the nonprofit supportive service community, the community based efforts at Mayor Wright Homes was successful in significantly reducing the criminal activity in the area.

Over the last several years, crimes at Mayor Wright Homes have been limited to low level nuisance crimes. Discussions with DOJ and HPD support the fact that most of the calls for law enforcement are not considered violent crimes; (e.g. calls for loud music, drinking in the common areas, loitering, graffiti, etc.). Additionally, a review of the crime statistics in the surrounding areas demonstrated that Mayor Wright Homes did not exhibit higher levels of crime than surrounding areas. Unfortunately, the Mayor Wright Homes property continues to be characterized as a crime and drug ridden project by the general public. In fact, the HPHA could not qualify as a "distressed neighborhood" for a competitive federal grant due to the crime statistics provided by the Honolulu Police Department. Based on that information, the scope of services for the security contract was established.

For the past many months, the HPHA received complaints regarding the Security Contractor. HPHA conducted its investigations and in response to the complaints, the Security Contractor took corrective action and responded with improved services, including but not limited to, increase supervisor monitoring and removal of guards.

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EP.12-040Ka1

It should be noted, however, that many of the tenants mistakenly perceive the security guards as law enforcement. Some of the complaints centered around the premise that if tenants are drinking in the common area, the guards are responsible to "break-up the party", rather than call law enforcement. Additionally, the investigation also revealed that one of the tenants who regularly complained about the security contractor was an in-law relative of the security guard he was complaining about.

In September 2011, a man was stabbed to death on the property at Mayor Wright Homes. After this stabbing, the HPHA remained vigilant and conducted its own daily monitoring of the property. Management staff worked with law enforcement to increase patrols and worked with the families involved to have them removed from the property.

Subsequently, on January 27, 2012, another group of men were involved a fight. Although this incident was characterized by the Honolulu Police Department as self-defense, these stabbings escalated the level of violent crimes at the property. This incident was cause for greater concern based on the possibility of retaliation between families. After a more careful analysis, it was also determined that many of the incidents at Mayor Wright Homes involved or were instigated by individuals who did not reside at the property.

In early February, the Executive Director himself conducted nightly surveillance to closely observe the activities at the property and the level of security services of the contractor. Based on his observations, it was concluded that the security contractor was not satisfactorily controlling vehicular access to the property. HPHA held several meetings with the Contractor to address the need for immediate corrective action.

Initial attempts were also made to increase and supplement services at the site with the Honolulu Police Department and the Department of Public Safety. Both law enforcement agencies declined HPHA's request to enter into agreement for services that would supplement the existing contracted services. The HPHA also contacted up to six other security guard companies all of which were non-compliant with the Hawaii Compliance Express or not registered at all. Only two companies were interested in providing services at Mayor Wright Homes, but would not agree to supplement the existing contractor's services due to liability and insurance issues and one would not agree to the State's contract conditions.

During the month of February, the HPHA continued to make attempts to negotiate supplemental security services with a security company (not Matt Levi Corporation) with law enforcement background (e.g., security protection details). HPHA believed that it was best to supplement or replace the existing security with a higher level, law enforcement-type of security to deter future criminal conduct and to deal with the threat of retaliation. However, negotiations fell through with this contractor due to insurance and indemnification requirements of the State.

Based on continued observations by the AMP staff, the PMMSB chief, Executive Assistant and the Executive Director and the imminent threat of retaliation for the stabbings, the decision was made to terminate the security contract at Mayor Wright Homes. Of greatest concern was the HPHA's need to monitor and control access to the property and to be able to conduct effective roving patrols. Since the contract did not include controlling vehicular access into the property

Mr. Aaron Fujioka
April 30, 2012
Page 3

at Kamehameha Homes and Kaahumanu Homes, the HPHA determined that the contractor was compliant with contract requirements at those properties.

Finally, on March 15, 2012, the HPHA was able to engage Matt Levi Corporation at Mayor Wright Homes to provide security services. Matt Levi Corporation employs primarily security officers who have a law enforcement background (e.g., police officers, sheriffs, prison guards). Many are still active law enforcement officers. Due to their law enforcement experience and their positive relationships with at-risk youth at other properties, the Matt Levi guards bring a unique background to the job.

Current monitoring of the Mayor Wright Homes property indicates that the Matt Levi security guards are satisfactorily controlling access to the property. This can be most clearly be seen in the fact that there were recent stabbings which occurred outside the HPHA's property. We believe that without the presence of the current guards there would have been the increased likelihood that those individuals would have been on the grounds at Mayor Wright Homes.

Although the HPHA is not responsible for, nor able to predict, the intentional criminal conduct of its residents and nonresidents, we still believed it was best to supplement or retain the level of security that could more effectively deter future criminal activities.

If you have any questions or require additional information, please do not hesitate to call me at (808) 832-4694. Thank you in advance for your review of this request for reconsideration. We look forward to your favorable response.

CPO COMMENTS:

Due to an increase in dangerous and unsavory activities at Mayor Wright Homes, the residents as well as the agency had serious concerns that the level of security established at that time was inadequate. The agency felt compelled to remedy the situation as quickly as possible. The Executive Director, in his observation, concluded that the security contractor was not satisfactorily controlling vehicular access to the property and it was determined that many of the incidents at Mayor Wright Homes involved or were instigated by individuals who did not reside at the property. To address the immediate situation and to reassure the residents, the agency elected to terminate the existing contract which they believed was inadequate. Terminating the contract, allowed the agency to contract with another security company with a higher level, law enforcement-type of security to deter future criminal conduct and to deal with the threat of retaliation by establishing more stringent and increased level of security during the period immediately following the latest incident.

At the April 25, 2012 meeting between SPO and the agency, the agency further elaborated the seriousness of the situation. Based on the agency's assurances that they shall use the appropriate method of procurement to execute a new contract and include heightened security standards as specifications and requirements, approval is granted to June 30, 2012.

If there are any questions, please contact Kevin Takaesu at 586-0568, or kevin.s.takaesu@hawaii.gov.

☒ Approved

☐ Disapproved


Chief Procurement Officer

5/7/2012
Date



**STATE PROCUREMENT OFFICE
EMERGENCY PROCUREMENT**

12 MAR 19 A9:07

STATE PROCUREMENT OFFICE
STATE OF HAWAII

TO: Chief Procurement Officer
FROM: DHS/Hawaii Public Housing Authority
Name of Requesting Department

Pursuant to HRS § 103D-307 and HAR chapter 3-122, Subchapter 10, the Department requests approval for the following:

1. Date or period of Emergency: 3/15 - 6/13/12

2. After-the-Fact: ☒ Yes ☐ No

3. Describe in detail the emergency situation that created a threat to life, public health, welfare or safety.

In the last several months, several violent incidents involving non-tenants, including 2 stabbings that resulted in a death, occurred at Mayor Wright Homes. Mayor Wright Homes is a 364-unit federally funded low income public housing located in Honolulu that is managed by the Hawaii Public Housing Authority. A reassessment of the security needs at Mayor Wright Homes was conducted by the HPHA and it was determined that although there is a security contractor in place, a stronger security presence is needed. The most recent incident occurred less than one week ago.

4. Vendor/Contractor/Service Provider Name:
Matt Levi Corporation dba Matt Levi Investigations

5. Amount of Request:
\$ 181,020.00

6. Describe in detail the emergency goods, services, or construction and explain why it is necessary.

Furnish temporary security services to include a 24-hour gate guard and a roving patrol. The services are necessary due to the cancellation of the contract for security services with the existing contractor. Due to a reassessment of the security needs at Mayor Wright Homes in light of the recent violence, the Hawaii Public Housing Authority determined a need for a stronger presence of security. Matt Levi Corporation dba Matt Levi Investigations employs security officers who have law enforcement background such as police officers, sheriffs and/or prison guards. It is necessary to establish a stronger security presence to secure and stabilize the property.

7. State the reason(s) the vendor/contractor/service provider was selected. Explain what competition, as is practicable, was conducted.

The HPHA contacted several security guard companies, the Honolulu Police Department and the Sheriff's Division to provide temporary security services. Everyone contacted either declined or refused to sign the state contract except for Matt Levi Corporation dba Matt Levi Investigations. Additionally, six security companies were listed in the Hawaii Compliance Express (HCE) as "non-compliant" or not registered in the HCE.

8. Identify the primary individual(s) who is knowledgeable about this request, who will conduct and manage this process, and has 1) appropriate written delegated procurement authority; 2) completed mandatory training; and 3) who SPO may contact for follow up inquiry, if any.

(Type over "example" and delete cells not used.)

Name of Department Personnel	Division/Agency	Phone Number	E-mail Address
Rick Sogawa	HPHA/CPO	832-6038	rick.t.sogawa@hawaii.gov
Barbara Arashiro	HPHA/CPO	832-4694	barbara.e.arashiro@hawaii.gov

All requirements/approvals and internal controls for this expenditure is the responsibility of the department.
I certify that the information provided is to the best of my knowledge, true and correct.


 Department Head Signature

3/19/12

Date

For Chief Procurement Officer Use Only

Chief Procurement Officer (CPO) Comments:

The agency has been long aware of violent crimes periodically being committed in the Mayor Wright Homes (MWH). To mitigate these incidents, the agency had a security contract in place before, during and after the criminal incidents noted. The Honolulu Police Department also made patrols of the area. The agency elected to partially terminate the existing security contract for MWH based on convenience and to continue the contracts for security services for the other housing complexes (Kamehameha Homes and Kaahumanu Homes).

Emergency procurements are to address unanticipated serious situations that require immediate action by a governmental agency that may affect the health and safety of the general public, and not to replace an existing contract that was terminated by the agency for convenience. Request is disapproved as it does not meet the requirements for an emergency procurement.

As this is a procurement violation, agency shall submit form SPO-016 by April 26, 2012, for all services rendered and is required to use the appropriate method of procurement to obtain the necessary services. If there are any questions, please contact Kevin Takaesu at 586-0568, or kevin.s.takaesu@hawaii.gov.

☐ Approved

☒ Disapproved

☐ No Action Required

 3/30/2012

Chief Procurement Officer Signature

Date